



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 256 OF 2025

1. **Pramila Babanrao Katkar**

Aged about 42 years,
Occupation : Household

APPLICANTS

2. **Mahesh Babanrao Katkar,**

Aged about 30 years,
Occ: Govt. Job.
All R/o Subhash Chowk, Tah.
Pusad, Dist. Yavatmal

// V E R S U S //

1. **The State of Maharashtra,**
Through PSO, Police Station,
Washim (City), Tah. and
District Washim

NON-APPLICANTS

2. **Shradha Shridhar Katkar**
Aged about 33 years, Occ.
Household, R/o Suresh Koneri
Margapwar, Devpath, Washim
Tah. Dist. Washim

Mr. S.S. Sheikh, Advocate for the applicants.

Mr. Nikhil Joshi, APP for non-applicant No.1 /State.

Mr. A.M. Kukdey, Advocate for non-applicant No.2.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 18.02.2026

ORAL JUDGMENT :

1. Heard.

2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.

3. Present application is preferred by the mother-in-law, brother-in-law husband of non-applicant No.2 for quashing of the First Information Report in connection with crime No.29/2024 registered at Police Station Washim District Washim for the offences punishable under Sections 498A read with 34 of the Indian Penal Code, 1860 (for short, 'IPC') and consequent proceedings arising out of the same bearing Charge-sheet No.133/2024.

4. FIR came to be lodged against the present applicants on the basis of the report lodged by non-applicant No.2 on an allegation that her marriage with son of the applicant No.1 was performed on 03.12.2014. After marriage she resumed the cohabitation at the house of the present applicants. Her husband was addicted to bad vices like drinking liquors and under the influence of liquor he was ill treating her physically as well as mentally. She alleged that alongwith her husband she was residing at Aamgao District Gondia. But for some days she resided along

with the present applicants and during that period present applicants were instigating her husband and on their instigation he was ill treating her. On the basis of said report police have registered the crime against the present applicants.

5. Heard learned counsel for the applicants who submitted that except reference of their name and general, vague and omnibus allegations there is no specific instances narrated by the non-applicant No.2 as far as the ill treatment at the hands of the present applicants are concerned and therefore, no prima-facie case is made out against the present applicants. In view of that application deserves to be allowed.

6. Per contra, learned APP and learned counsel for the non-applicant No.2 strongly opposed for the same and submitted that in furtherance of the common intention the present applicants along with the other co-accused instigated and ill treated her physically as well as mentally. Therefore, application deserves to be rejected.

7. On hearing both the sides and on perusal of the recitals of the FIR, it reveals that mere reference of the name is

there as far as the present applicants are concerned, with an omnibus, vague and general allegations that they were instigating her husband and therefore, her husband was ill treated her. Mere reference of the name is not sufficient to attract the offence under Section 498-A of the IPC. There has to be some specific instances narrated by the complainant which is absent in the present case. Therefore, prima-facie offence is not made out against the present applicants. In view of that the application deserves to be allowed.

8. Hence, I proceed to pass the following order:-

ORDER

(i) The Criminal Application is allowed.

(ii) The First Information Report in connection with crime No.29/2024 registered at Police Station Washim District Washim for the offences punishable under Sections 498A read with 34 of the Indian Penal Code, 1860 (for short, 'IPC') and consequent proceedings arising out of the same bearing Charge-sheet No.133/2024 is quashed and set aside to the extent of applicants namely Pramila Babanrao Katkar and Mahesh Babanrao Katkar.

9. The criminal application stands disposed of in the above said terms.

Pending applications, if any, also stand disposed of.

(URMILA JOSHI PHALKE, J.)

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